

REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application.

Claim 1 has been amended to correct a clerical error of transcription in original claim 1.

Claim 2 has been amended to overcome the formal objections concerning the wording "the cross-section perimeter of the bottle". Claim 2 now recites "a cross-section perimeter of the bottle".

35 USC § 102

The Examiner has stated that the prior art document Doherty (US 4199851), at column 3, lines 25-46, discloses a process for forming tubular labels made of plastic films, i.e. heat shrinkable films (28), and adhering them on bottles (40), wherein such a process provides the transfer of bottles or containers into the formed tubular labels by a down movement of said bottles or containers into the sleeve.

Applicant believes the cited prior art document does not have any step disclosing a down movement of the bottles into the sleeve. Indeed, at column 3, lines 62-68 and at column 4, lines 1-2 and 30-37, it is clearly stated that the **sleeve moves** telescopically **over the bottles**, and not that the bottles undergo a downward movement into the sleeve.

Accordingly, since claim 1 requires a down movement of the bottles into the sleeve, claim 1 clearly defines over the applied Doherty '851 reference.


35 USC § 103

As evidence of non-obviousness, the present invention faces and solves the technical problem of preventing the deterioration of thin plastic tubular labels because of their displacement. In this regard, it is clear that the present invention cannot be considered obvious for a skilled man in view of Doherty, because **in such document there are no hints to keep the label still and to slide the bottle into it**. In Doherty, the thin plastic tubular label is subjected to displacement and related acceleration forces instead of the bottles and hence involves different problems related to different label forming and adhering processes. In this regard, a process according to the present invention can be advantageously applied to any kind of label.

In view of the amendments and the remarks, and having dealt with all the objections raised by the Examiner, reconsideration and allowance of the application is courteously requested.

If any additional fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. BUG7-43177.

Respectfully submitted,
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